

Message Text

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PAGE 01 DUBAN 00809 152208Z

ACTION AF-10

INFO OCT-01 IO-14 ISO-00 CIAE-00 DODE-00 PM-05 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02

SS-15 USIA-15 HA-05 /087 W

-----062953 160750Z /21

R 151400Z DEC 77

FM AMCONSUL DURBAN

TO SECSTATE WASHDC 2764

INFO AMEMBASSY PRETORIA

AMCONSUL CAPE TOWN

AMCONSUL JOHANNESBURG

AMEMBASSY DER ES SALAAM

AMEMBASSY MBABANE

USUN NEW YORK 0252

USMISSION GENEVA

UNCLAS DURBAN 0809

E.O. 11652 N/A

TAGS: PINT, PINS, SHUM, SF

SUBJECT: TWO CONVICTED IN DURBAN TERRORISM TRIAL;
PIETERMARITZBURG TRIAL ADJOURNED UNTIL MID-JANUARY

REF: DURBAN 781

1. BONGANI EMMANUEL NTSELE (23) AND THEMBA SAMUEL XULU (25) (REFTEL) WERE CONVICTED DECEMBER 15 OF RECRUITING OR INCITING TWELVE MEN IN ESHOWE AND KWAMASHU TO UNDERGO MILITARY (TERRORIST) TRAINING IN SWAZILAND, TANZANIA, OR USSR, AND WERE SENTENCED TO FIVE YEARS IMPRISONMENT. DEFENDANTS HAD DENIED CHARGES AND TESTIFIED THEY ONLY DISCUSSED EXTERNAL TERRORIST TRAINING WITH STATE WITNESSES AS AN ITEM OF INTEREST IN NEWS, BUT JUDGE SAID THEIR TESTIMONY WAS UNRELIABLE AND INCONSISTENT. AS DETERMINING FACTOR IN HIS DECISION HE POINTED TO FACT THAT SIX STATE WITNESSES, NONE OF WHOM HAD ANY PERSONAL GRUDGE AGAINST DEFENDANTS (ONE WAS XULU'S HALF-BROTHER), HAD INCRIMINATED THEM IN UNCLASSIFIED

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INDEPENDENT TESTIMONY.

2. PIETERMARITZBURG TRIAL OF THREE ALLEGED PAC MEMBERS ACCUSED UNDER TERRORISM ACT WAS ADJOURNED DECEMBER 12 UNTIL JANUARY 16 BECAUSE PROSECUTION COULD NOT LOCATE IMPORTANT SATTE WITNESSES. THOSE WHO HAVE ALREADY TESTIFIED HAVE INCRIMINATED DEFENDANTS IN SERIES OF ACTS RANGING FROM RUNNING TERRORIST-TRAINING CAMP ON

S.A.-SWAZILAND BORDER TO UNDERGOING PAC TERRORISM TRAINING IN ALGERIA, BOTSWANA AND TANZANIA DURING 1960'S. ON DECEMBER 5 PROSECUTION, REFERRING TO RECENT SLAYING OF SECURITY POLICEMAN (AND EX-ANC MEMBER) LEONARD NKOSI (DURBAN 614), WHO HAD BEEN A STATE WITNESS IN PIETERMARITZBURG ANC AND OTHER TERRORISM TRIALS, REQUESTED EITHER THAT TRIAL BE HELD IN CAMERA OR PRESS BE ORDERED NOT TO PRINT NAMES OF STATE WITNESSES FOR FEAR OF REPRESALS. JUDGE DENIED MOTIONS BUT INFORMALLY REQUESTED PRESS NOT TO PRINT NAMES. PRESS HAS COMPLIED WITH REQUEST TO DATE. FARBER

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Message Attributes

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Sent Date: 15-Dec-1977 12:00:00 am
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Disposition Approved on Date:
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Disposition Event:
Disposition History: n/a
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